



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Yutaka KAI et al.

Serial No. 09/495,708

Group Art Unit: 2633

Confirmation No. 5201

Filed: February 1, 2000

Examiner: Agustin BELLO

For: SELECTEDWAVELENGTH TUNING FILTER AND OPTICAL ADD/DROP
MULTIPLEXER

RESPONSE TO RESTRICTION REQUIREMENT

RECEIVED

JUL 06 2004

Technology Center 2600

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the Office Action mailed June 4, 2004, having a shortened period for response set to expire on July 4, 2004.

I. Election of Species

Applicants elect Species II, FIG. 2, and claims 1-12, 23-34, 48 and 53 which read thereon.

II. Conclusion

In view of the foregoing remarks, all claims are deemed to be allowable and this application is believed to be in condition for allowance.

If any further fees are required in connection with the filing of this Amendment, please charge the same to our deposit account number 19-3935.

Should any questions remain unresolved, the Examiner is requested to telephone Applicants' attorney.

Respectfully submitted,

STAAS & HALSEY LLP

Date: July 2, 2004

By: *Douglas X. Rodriguez*
Douglas X. Rodriguez
Registration No. 47,269

1201 New York Ave, N.W., Ste. 700
Washington, D.C. 20005
(202) 434-1500